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FILED IN THE  
 UNITED STATES DISTRICT COURT  
 DISTRICT OF HAWAII

NOV 15 2007

at 12 o'clock and 40 min. P.M.  
 SUE BEITIA, CLERK

Attorney for Defendant  
 ANDY S.S. YIP

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. CR02-00225 (01) DAE
	)	
Plaintiff,	)	EX PARTE MOTION FOR REOPENING
	)	OF THE PROCEEDINGS ON
vs.	)	DEFENDANT YIP'S MOTION FOR
	)	JUDGMENT NOTWITHSTANDING
ANDY S.S. YIP,	(01) )	VERDICT AS TO COUNT I;
BRENDA M.O. CHUNG	(02) )	DECLARATION OF HOWARD T.
	)	CHANG; EXHIBITS A - B;
Defendants.	)	DECLARATION OF BARBARA N.
	)	SANO; CERTIFICATE OF SERVICE

EX PARTE MOTION FOR REOPENING OF THE PROCEEDINGS ON DEFENDANT  
 YIP'S MOTION FOR JUDGMENT NOTWITHSTANDING VERDICT AS TO COUNT I

Defendant Andy S.S. Yip, by and through his undersigned attorney, hereby moves this Court, pursuant to Rule 47 of the Federal Rules of Criminal Procedure and the Fifth Amendment to the U.S. Constitution, for an Order Reopening the Proceedings on Defendant Andy S.S. Yip's Motion for Judgment Nothwithstanding Verdict as to Count 1.

The purpose of this motion is to allow counsel for Defendant Yip the opportunity of preparing and filing a written memorandum to respond to the arguments and factual recitations contained in Government's Supplementary Opposition Memorandum to Defendant Yip's Motion for Judgment Nowtwithstanding The Verdict as to Count I, filed October 26, 2007. The Supplementary Opposition was never received by the undersigned counsel from the United States Attorney. In fact, the undersigned first became aware that the Government had filed a second memoranda in these proceedings when he reviewed a copy of the Court's Order, filed November 13, in which there was reference on page 2 thereof to the Government's October 26 supplemental opposition.

This motion is based upon the record and files herein, the Declaration of Howard T. Chang, the attached Declaration of Barbara N. Sano and any further arguments offered at any hearing on this motion.

DATED: Honolulu, Hawaii, November 15, 2007.



HOWARD T. CHANG  
Attorney for Defendant  
ANDY S.S. YIP